



SO ORDERED.

SIGNED this 31 day of December, 2009.



Randy D. Doub
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILSON DIVISION**

IN RE

CHAPTER 7

SHARON R. WALTERS

CASE NO.

DEBTOR

09-06089-8-RDD

**ORDER DENYING MOTION TO EXTEND TIME
TO FILE FINANCIAL MANAGEMENT CERTIFICATE AS MOOT**

Pending before the Court is the Motion to Extend Time to File Financial Management Certificate filed by Sharon Walters (the “Debtor”) on November 30, 2009 (the “Motion to Extend”). No responses were filed in connection with the Motion to Extend.

Pursuant to the Motion to Extend, the Debtor requests an additional fifteen (15) days to file the certificate documenting completion of the financial management course. The basis for the extension provides that counsel for the Debtor needed additional time to obtain signatures for a reaffirmation agreement with Coastal Federal Credit Union.

Section 727(a)(11) of the Bankruptcy Code provides that a debtor is entitled to a grant of a discharge unless the debtor fails to complete the personal management course described in 11 U.S.C. § 111 and is not allowed a waiver under Section 109(h)(4). Federal Rule of Bankruptcy Procedure 1007(c) requires that a certificate evidencing completion of the personal financial

management course be filed with the court. In a chapter 7 case, the certificate must be filed within forty-five (45) days following the first date set for the meeting of creditors.

In this case, the meeting of creditors was first scheduled on September 11, 2009. Therefore, the financial management certificate should have been filed on or before October 26, 2009. On November 12, 2009, the Clerk docketed a notice regarding the Debtor's failure to file the certificate of completion. On November 14, 2009, the deficiency notice was served on the Debtor. This notice gave the Debtor ten (10) days to file the certificate of completion. The Motion to Extend seeking to extend this deadline filed on November 30, 2009 and requested an extension of fifteen (15) days to December 15, 2009.

The Debtor completed the financial management course on December 20, 2009 and the certificate was filed on December 28, 2009. The completion of the course and the filing of the certificate of completion were completed well after December 15, 2009, the date to which the Debtor sought extension of the deadline.

Since the Debtor has completed the financial management course and filed the certificate, the Motion to Extend is **moot**. However, the Court cautions counsel to pay close attention to the deadlines set by this Court and timely file the certificate of completion within the forty-five (45) days of the first meeting of creditors, as well as, to deficiency notices regarding the failure to file the financial management certificate of completion sent by the Clerk's Office. Had this case been closed prior to the Debtor's completion of the financial management class or prior to the filing of certificate of completion, the Debtor would not have received her discharge which could be detrimental to her financial future. A motion to reopen the case, along with the required fee, would then have been required in order to then file the certificate of completion.

SO ORDERED.

END OF DOCUMENT